



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

Docket ID FEMA-2012-0003

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified BFEs will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

ADDRESSES: The modified BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below of the modified BFEs for each community listed. These modified BFEs have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

The modified BFEs are not listed for each community in this notice. However, this final rule includes the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection.

The modified BFEs are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter

requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

These modified BFEs are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This final rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p.376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Jefferson (FEMA Docket No.: B-1244)	City of Birmingham (11-04-6751P)	December 2, 2011 December 9, 2011 <u><i>The Birmingham News</i></u>	The Honorable William Bell Mayor, City of Birmingham 710 North 20th Street Birmingham, AL 35203	April 9, 2012	010116
Alabama: Jefferson (FEMA Docket No.: B-1244)	City of Mountain Brook (11-04-6751P)	December 2, 2011 December 9, 2011 <u><i>The Birmingham News</i></u>	The Honorable Lawrence Terry Oden Mayor, City of Mountain Brook 3928 Montclair Road Mountain Brook, AL 35213	April 9, 2012	010128
Alabama: Jefferson (FEMA Docket No.: B-1244)	Unincorporated areas of Jefferson County (11-04-6751P)	December 2, 2011 December 9, 2011 <u><i>The Birmingham News</i></u>	The Honorable David Carrington President, Jefferson County Commission 716 Richard Arrington, Jr. Boulevard North Birmingham, AL 35203	April 9, 2012	010217
Alabama: Mobile (FEMA Docket No.: B-1248)	Unincorporated areas of Mobile County (11-04-1740P)	November 24, 2011 December 1, 2011 <u><i>The Press-Register</i></u>	The Honorable Connie Hudson President, Mobile County Commission 205 Government Street Mobile, AL 36644	March 30, 2012	015008
Alabama: Mobile (FEMA Docket No.: B-1240)	Unincorporated areas of Mobile County (11-04-5528P)	December 1, 2011 December 8, 2011 <u><i>The Press-Register</i></u>	The Honorable Connie Hudson President, Mobile County Commission 205 Government Street Mobile, AL 36644	April 6, 2012	015008
Arizona: Maricopa (FEMA Docket No.: B-1240)	City of Glendale (11-09-3464P)	November 24, 2011 December 1, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Elaine M. Scruggs Mayor, City of Glendale 5850 West Glendale Avenue Glendale, AZ 85301	March 30, 2012	040045
Arizona: Maricopa (FEMA Docket No.: B-1240)	City of Peoria (11-09-3464P)	November 24, 2011 December 1, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Bob Barrett Mayor, City of Peoria 8401 West Monroe Street Peoria, AZ 85345	March 30, 2012	040050
Colorado: Arapahoe (FEMA Docket No.: B-1244)	City of Centennial (11-08-0818P)	December 8, 2011 December 15, 2011 <u><i>The Littleton Independent</i></u>	The Honorable Cathy Noon Mayor, City of Centennial 13133 East Arapahoe Road Centennial, CO 80112	April 13, 2012	080315

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado: Arapahoe (FEMA Docket No.: B-1244)	City of Centennial (11-08-1095P)	December 8, 2011 December 15, 2011 <u><i>The Littleton Independent</i></u>	The Honorable Cathy Noon Mayor, City of Centennial 13133 East Arapahoe Road Centennial, CO 80112	April 13, 2012	080315
Florida: Broward (FEMA Docket No.: B-1248)	City of Deerfield Beach (12-04-0283P)	December 2, 2011 December 9, 2011 <u><i>The Sun-Sentinel</i></u>	The Honorable Peggy Noland Mayor, City of Deerfield Beach 150 Northeast 2nd Avenue Deerfield Beach, FL 33441	November 22, 2011	125101
Florida: Broward (FEMA Docket No.: B-1248)	Town of Lauderdale-By-The-Sea (11-04-7642P)	November 3, 2011 November 10, 2011 <u><i>The Sun-Sentinel</i></u>	The Honorable Roseann Minnet Mayor, Town of Lauderdale-By-The-Sea 4501 Ocean Drive Lauderdale-By-The-Sea, FL 33308	October 26, 2011	125123
Georgia: Bryan (FEMA Docket No.: B-1253)	City of Richmond Hill (11-04-4401P)	December 7, 2011 December 14, 2011 <u><i>The Bryan County News</i></u>	The Honorable E. Harold Fowler Mayor, City of Richmond Hill 40 Richard Davis Drive Richmond Hill, GA 31324	November 29, 2011	130018
North Carolina: Dare (FEMA Docket No.: B-1244)	Unincorporated areas of Dare County (11-04-5020P)	September 8, 2011 September 15, 2011 <u><i>The Coastland Times</i></u>	The Honorable Warren Judge Chairman, Dare County Board of Supervisors 954 Marshall C. Collins Drive Manteo, NC 27954	August 30, 2011	375348

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: August 8, 2012

Sandra K. Knight,

Deputy Associate Administrator for Mitigation,

Department of Homeland Security,

Federal Emergency Management Agency.

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